

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**Civil Action No. 3:17-cv-0011**

**LONNIE BILLARD,**

**Plaintiff,**

**v.**

**CHARLOTTE CATHOLIC HIGH  
SCHOOL, MECKLENBURG AREA  
CATHOLIC SCHOOLS, and ROMAN  
CATHOLIC DIOCESE OF CHARLOTTE,**

**Defendants.**

**DEFENDANTS' RESPONSES TO PLAINTIFF'S  
FIRST SET OF REQUESTS FOR ADMISSION**

Defendants Charlotte Catholic High School ("CCHS"), Mecklenburg Area Catholic Schools ("MACS"), and Roman Catholic Diocese of Charlotte ("Diocese") (collectively "Defendants"), pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, by counsel and their duly authorized agent, hereby respond to Plaintiff's First Requests for Admission as follows:

**REQUEST FOR ADMISSION NO. 1:**

Admit that Plaintiff was removed from the list of substitute teachers assigned to CCHS after he announced on Facebook that he intended to marry his same-sex partner.

**RESPONSE: Denied.**

**REQUEST FOR ADMISSION NO. 2:**

Admit that Plaintiff was removed from the list of substitute teachers assigned to CCHS solely because he announced his intention to marry to his same-sex partner.

**RESPONSE:** Denied.

**REQUEST FOR ADMISSION NO. 3:**

Admit that Defendants believe that Plaintiff's marriage to his same-sex partner renders him ineligible for any substitute teaching assignments at CCHS or other MACS schools.

**RESPONSE:** It is admitted that Plaintiff's continuing public engagement in and advocacy for conduct opposed to the fundamental moral tenets of the Roman Catholic faith – specifically, persisting in a same-sex civil marriage – renders him ineligible for any substitute teaching assignments at CCHS or other MACS or Diocesan schools.

**REQUEST FOR ADMISSION NO. 4:**

Admit that Plaintiff was professionally qualified for the position of substitute teacher at the time Defendants removed him from the substitute teacher list.

**RESPONSE:** It is admitted that Plaintiff possessed the required educational experience and qualifications to serve as a substitute teacher in December 2014, but denied that he was professionally qualified to do so. The professional qualifications of teachers in MACS and Diocesan schools include commitment to the Catholic educational mission of MACS and the Diocese, an understanding that teachers in Catholic schools act as role models for students seeking a Catholic education in accordance with that mission and in accordance with the beliefs of the Roman Catholic Church, and that they not publicly engage in or publicly advocate for conduct opposed to the fundamental moral tenets of the Roman Catholic faith, including those concerning marriage.

**REQUEST FOR ADMISSION NO. 5:**

Admit that sex is not a bona fide occupational qualification for the position of substitute teacher.

**RESPONSE:** Admitted.

**REQUEST FOR ADMISSION NO. 6:**

Admit that Defendants are not aware of any employee who is, or has been, employed by Defendants while being married to a same-sex partner.

**RESPONSE:** Denied.

**REQUEST FOR ADMISSION NO. 7:**

Admit that Plaintiff's job title as a substitute teacher at CCHS did not, by itself, convey religious significance.

**RESPONSE:** Denied.

**REQUEST FOR ADMISSION NO. 8:**

Admit that Plaintiff was not required to undergo religious training in order to qualify for a substitute teacher position at CCHS.

**RESPONSE:** Denied.

**REQUEST FOR ADMISSION NO. 9:**

Admit that Defendants are not aware of any instance in which Plaintiff held himself out as occupying a ministerial position.

**RESPONSE:** Denied.

**REQUEST FOR ADMISSION NO. 10:**

Admit that CCHS educates, and has educated, students who do not identify as Catholic, and that CCHS does not require those students to convert to Catholicism.

**RESPONSE:** Defendants object to the phrase "identify as Catholic" as vague and ambiguous. Persons either are or not members of the Catholic Church; membership in the Catholic Church is an objective status that does not depend on an individual's subjective "identification as" Catholic. Subject to this objection, it is admitted that CCHS educates, and has educated, students who are not Catholic, and that CCHS does not require those students to convert to Catholicism.

**REQUEST FOR ADMISSION NO. 11:**

Admit that CCHS employs, and has employed, teachers who do not identify as Catholic, and that CCHS does not requires those teachers to convert to Catholicism.

**RESPONSE:** Defendants object to the phrase “identify as Catholic” as vague and ambiguous. Persons either are or not members of the Catholic Church; membership in the Catholic Church is an objective status that does not depend on an individual’s subjective “identification as” Catholic. Subject to this objection, it is admitted that CCHS employs, and has employed, teachers who are not Catholic, and that CCHS does not require those teachers to convert to Catholicism.

**REQUEST FOR ADMISSION NO. 12:**

Admit that CCHS employs, and has employed, teachers who are divorced.

**RESPONSE:** Admitted.

**REQUEST FOR ADMISSION NO. 13:**

Admit that CCHS employs, and has employed, teachers who have been divorced and remarried without obtaining an annulment.

**RESPONSE:** Denied.

This the 16<sup>th</sup> day of June 2017.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing via electronic mail on counsel for Plaintiff at the following addresses:


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This the 16<sup>th</sup> day of June 2017.

  
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